

IN THE DRAWINGS

Subject to the approval of the Examiner, the Applicant respectfully requests that the attached drawing, corresponding to Figure 1, replace the original drawing filed in the above-identified application. A marked-up version of the drawing, with changes indicated in red, is also provided for the convenience of the Examiner.

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REMARKS

The above amendments and these remarks are submitted in reply to the Office Action dated November 24, 2004.

Summary of the Examiner's Objections/Rejections

The Abstract stands objected to as being too long. Claims 3, 8 and 13 stand objected to for failing to limit the subject matter of a previous claim. Claim 8 stand rejected under 35 U.S.C. §112, 2nd paragraph as having an antecedent basis issue. Claims 1-4, 6-9 and 11-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by Ford, et al. Claims 16, 19 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ford, et al. in view of Coleman (U.S. Patent No. 5, 717,756). Claims 17, 20 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ford, et al. and Coleman and further in view of Lipner, et al. (U.S. Patent No. 5,557,346) and Danieli (U.S. Patent No. 6,510,513).

Allowable Subject Matter

The Applicant wishes to thank the Examiner for indicating on page 6, paragraph 16 of the instant Office Action that the subject matter of Claims 5, 10, 15, 18, 21 and 24 are allowable over the art of record.

Abstract

By this Amendment, the Applicant has amended the Abstract to conform to the provisions of MPEP 608.01. Accordingly, reconsideration of the objection to the Abstract is respectfully requested.

Drawings

Subject to the approval of the Examiner, it is respectfully requested that the enclosed substitute drawing (as a Replacement Sheet), corresponding to FIG. 1, replace the original drawing filed with the above-identified application. A copy of the drawing corresponding to FIG. 1, with changes indicated in red, is also enclosed.

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Rejection of Claims 3, 8 and 13

By this Amendment, Claims 3, 8 and 13 have been amended to more distinctly define and further clarify the subject matter introduced in the claims from which they depend. In addition, Claim 8 has been amended to correct the antecedent basis issue present therein. Accordingly, reconsideration of the objection to Claims 3, 8 and 13 and the rejection of Claim 8 are respectfully requested.

The Ford, et al. reference should be withdrawn as it cannot be determined whether it qualifies as prior art

For a reference to be valid prior art for consideration, it has to be established by the Examiner that the effective date of the reference predates the Applicant's filing date. MPEP 2128. In the instant case, the actual effective date of Ford, et al. (as provided on the face of the reference itself, and/or the date attributed to it by the Examiner) cannot be determined; therefore, the Applicant cannot ascertain whether it is valid prior art under MPEP 2128 and 35 U.S.C. §102(e). The effective filing date of the above-identified application, is June 5, 2000, the filing date of the Provisional Application from which the instant application claims benefit. Therefore, to be valid as prior art, the Ford, et al. reference must predate the filing date of the Provisional Application. However, such a date cannot be determined as the only indication of a date on the Ford, et al. reference is "2002", without giving a month or a specific day. Thus, it cannot be readily determined if Ford, et al. is in fact a prior art reference. As the Examiner has not established, or presented any evidence that the effective date of Ford, et al. predates the filing date of the instant application, the Applicant submits that Ford, et al. is an improper reference and should be withdrawn.

Rejection of Claims 1-4, 6-9 and 11-14

The Applicant traverses the rejection of the aforementioned claims for the reasons set forth in greater detail below. Notwithstanding the inappropriateness of Ford, et al. as a reference, the teachings thereof do not anticipate the claimed invention. More specifically, Claim 1 is directed to a system that provides for remote password

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authentication, where a client has a corresponding memory coupled thereto, which includes instructions which, when executed by the client, cause the client to:

“...unblind and combine the blinded key shares to create a master key (Km), and decrypt encrypted private data using the master key (Km)....”

which is not disclosed in Ford, et al. Consequently, Ford, et al. does not anticipate the invention as defined in Claim 1. When rejecting the Claim, the Examiner points to page 178, column 1, paragraph 4 (the receiving of the hardened password from the server) as anticipating this limitation. However, as clearly provided for in the text of Ford, and as briefly mentioned above, the “R” being relied on by the Examiner is not the master key as recited in Claim 1, nor is the generation of R being performed by a client; it is the hardened password that is generated and provided by the server discussed in Ford, et al. See, for example, page 2 (actual page numbers are not on the document provided to the Applicant), col. 2. Thus, as R is neither generated by the client, nor the master Key used to “...decrypt encrypted private data...” as defined in Claim 1, the Applicants submit that Ford, et al. does not anticipate at least this limitation of Claim 1. Accordingly, reconsideration of the rejection of Claim 1 is respectfully requested.

This same shortcoming of Ford, et al. also applies to Claims 6 and 11 (and the claims dependent thereon), each of which are directed to client side operations and each of which include the aforementioned limitation as recited in Claim 1. Accordingly, reconsideration of Claims 1-4, 6-9 and 11-14 is respectfully requested.

Rejection of Claims 16, 19 and 22

The Applicant traverses the rejection of the aforementioned claims for the reasons set forth in greater detail below. The inappropriateness of Ford, et al. as a proper reference as discussed above with respect to Claims 1-4, 6-9 and 11-14 is equally applicable to the aforementioned claims and is incorporated in its entirety herein. In addition, combining the teachings of Ford, et al. and Coleman still does not render the claimed invention obvious as Coleman does not overcome the aforementioned shortcomings Ford, et al. Claims 16, 19 and 22 depend upon and include all the limitations of Claims 1, 6 and 11, respectively, and are allowable at least for the reasons

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set forth above with respect to such claims. Accordingly, reconsideration of the rejection of Claims 16, 19 and 22 is respectfully requested.

Rejection of Claims 17, 20 and 23

The Applicant traverses the rejection of the aforementioned claims for the reasons set forth in greater detail below. The inappropriateness of Ford, et al. as a proper reference as discussed above with respect to Claims 1-4, 6-9 and 11-14 is equally applicable to the aforementioned claims and is incorporated in its entirety herein. In addition, combining the teachings of Ford, et al., Coleman, Lipner, et al. and Danieli still does not render the claimed invention obvious as Coleman does not overcome the aforementioned shortcomings Ford, et al. Claims 17, 20 and 23 indirectly depend upon and include all the limitations of Claims 1, 6 and 11, respectively, and are allowable at least for the reasons set forth above with respect to such claims. Accordingly, reconsideration of the rejection of claims 17, 20 and 23 is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is respectfully submitted that Claims 1-24 are now in proper condition for allowance and such action is earnestly solicited.

The Commissioner is hereby authorized to charge any underpayments or credit any over payments to Deposit Account No. 16-1520 for any payment in connection with this communication, including any fees for extension of time, which may be required. The Examiner is invited to call the undersigned if such action might expedite the prosecution of this application.

Respectfully submitted,
PHOENIX TECHNOLOGIES LTD.

Date: 5/25/05

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